



11-19-04

1637

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Docket No.: 067234-0018

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chee, Mark, et al. Customer No.: 41552
Appl. No. : 10/021,906 Confirmation No.: 3279
Filed : December 12, 2001
Title : DETECTION OF NUCLEIC ACID
AMPLIFICATION REACTIONS USING
BEAD ARRAY
Grp./A.U. : 1637
Examiner: : Strzelecka, T.

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

"Express Mail" Mailing Label Number EV 494 142 244 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Nov 17, 2004.

[Handwritten signature of Carrie Casey]

Carrie Casey

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Response to Notice of Non-Compliant Amendment (including Exhibit A) in the above-identified application.

- ☒ No additional fee is required.
☒ Applicant is entitled to small entity status under 37 CFR 1.27

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

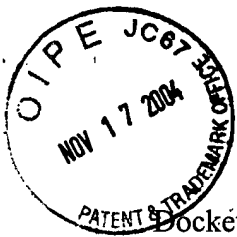
Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

[Handwritten signature of David A. Gay]

David A. Gay
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Date: November 17, 2004



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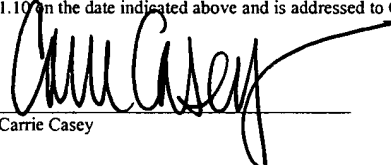
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Carrie Casey

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment Under 37 C.F.R. § 1.121, mailed October 25, 2004, Applicants provide the following response to the Office Action of December 19, 2003, and the subsequent Advisory Action mailed April 19, 2004, consideration of the following Remarks is respectfully requested.

A complete listing of the pending claims are presented starting on page 2 of the response.

Remarks begin on page 6 of the response.